

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,	)	NO. CR09-5466RJB-3
	)	
Plaintiff,	)	
	)	ORDER GRANTING STIPULATED
vs.	)	MOTION TO CONTINUE TRIAL
	)	DATE
REEVES, ET AL,	)	
(Andrew Post)	)	
	)	
Defendant.	)	
	)	
	)	

Based on the stipulation of the parties to continue the trial date in this matter, and the facts set forth in the affidavit of defense counsel in support of the motion, which are hereby incorporated by reference and adopted as findings of fact, the Court makes the following findings of fact and conclusions of law:

1. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).
2. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i).
3. The defense needs additional time to explore issues of some complexity, including all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself

1 within the time limits established by the Speedy Trial Act and currently set for this case.

2 18 U.S.C. § 3161(h)(7)(B)(ii).

3 4. Taking into account the exercise of due diligence, a continuance is necessary  
4 to allow the defendant the reasonable time for effective preparation of his defense.

5 18 U.S.C. § 3161(h)(7)(B)(iv).

6 NOW, THEREFORE,

7 IT IS HEREBY ORDERED that the trial date in this matter is continued from  
8 September 21, 2009 to December 21, 2009, at 9:30 am. The resulting period of delay  
9 from September 21, 2009 to December 21, 2009, is hereby excluded for speedy trial  
10 purposes under 18 U.S.C. § 3161(h)(7)(A) and (B).

11 Pre-trial motions are due no later than November 10, 2009.

12 Pre-trial conference shall be on December 11, 2009, at 8:30 am.

13 DONE this 14th day of August, 2009.

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17 ROBERT J. BRYAN  
18 UNITED STATES DISTRICT JUDGE

19 Presented by:

20  
21 /s/ Linda R. Sullivan

22 Linda R. Sullivan  
23 Attorney for Defendant

24 /s/ Jared D. Bingham

25 Jared D. Bingham  
26 Assistant United States Attorney